

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Renee D. Short
aka Renee D. Anderson
Debtor(s)

Bankruptcy Case No.: 14-22312-TPA
Per October 19, 2017 proceeding
Chapter: 13
Docket No.: 116 – 108, 111
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 15, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: JP Morgan Chase (Claim No. 3) as a long term debt .
- ☒ H. Additional Terms: The secured claim of the following creditor shall govern as to prepetition arrears, and the monthly post-petition payment shall be based on allowed payment changes of record: Bank of America (Claim No. 7)

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

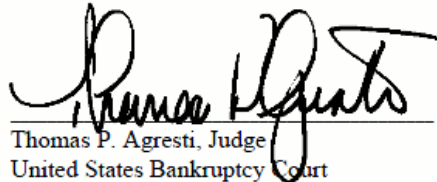
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: October 20, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Renee D. Short
DebtorCase No. 14-22312-TPA
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: lmar
Form ID: 149Page 1 of 2
Total Noticed: 24

Date Rcvd: Oct 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 22, 2017.

db +Renee D. Short, 320 Country Hills Drive, North Huntingdon, PA 15642-2645
 cr +Ally Financial, Tucker Arensberg, P.C., c/o Brett A. Solomon, Esquire, 1500 One PPG Place,
 Pittsburgh, Pa 15222-5413

13866699 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank Of America, PO Box 982235, El Paso, TX 79998)

13991339 +Bank of America, N.A., P.O. BOX 660933, Dallas, TX 75266-0933

13866701 +Bk Of Amer, P.O. Box 17054, Wilmington, DE 19884-0001

13967230 Capital One, N.A., c o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701

13866703 Citi, P.O. Box 6500 C/O Citi Corp, Sioux Falls, SD 57117-6500

13866704 +Citi, Po Box 6241, Sioux Falls, SD 57117-6241

13932583 +PNC BANK, N.A., PO BOX 94982, CLEVELAND, OHIO 44101-4982

13866710 Parkview Comm Fcu, 1213 5th Ave, Mckeesport, PA 15132

13866711 +Pnc Bank, N.A., 1 Financial Pkwy, Kalamazoo, MI 49009-8002

13866712 Wfb Cd Svc, P.O. Box 5445, Portland, OR 97208

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13990889 E-mail/Text: ally@ebn.phinsolutions.com Oct 21 2017 01:16:08 Ally Bank, PO Box 130424,
 Roseville, MN 55113-0004

13866697 +E-mail/Text: ally@ebn.phinsolutions.com Oct 21 2017 01:16:08 Ally Financial,
 200 Renaissance Ctr, Detroit, MI 48243-1300

13866702 +E-mail/Text: bk.notifications@jpmchase.com Oct 21 2017 01:16:15 Chase, PO Box 901076,
 Fort Worth, TX 76101-2076

13942501 E-mail/Text: mrdiscen@discover.com Oct 21 2017 01:16:08 Discover Bank,
 DB Servicing Corporation, PO Box 3025, New Albany, OH 43054-3025

13866705 +E-mail/Text: mrdiscen@discover.com Oct 21 2017 01:16:08 Discover Fin Svcs Llc,
 Po Box 15316, Wilmington, DE 19850-5316

13866706 E-mail/Text: mrdiscen@discover.com Oct 21 2017 01:16:08 Discovr Cd,
 Po Box 15316 Att:Cms/Prod Develop, Wilmington, DE 19850-5316

13866707 E-mail/PDF: gecsed@recoverycorp.com Oct 21 2017 01:12:09 Gecrb/Jcp, Po Box 984100,
 El Paso, TX 79998

13866708 +E-mail/PDF: gecsed@recoverycorp.com Oct 21 2017 01:12:26 Gecrb/Levin Furniture,
 Po Box 981439, El Paso, TX 79998-1439

13954801 E-mail/Text: bk.notifications@jpmchase.com Oct 21 2017 01:16:15 JPMorgan Chase Bank N.A.,
 National Bankruptcy Department, P.O.Box 29505 AZ1-1191, Phoenix, AZ 85038-9505

13866709 +E-mail/Text: bnckohlsnotices@becket-lee.com Oct 21 2017 01:16:10 Kohls/Capone,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096

13989283 +E-mail/PDF: resurgentbknotifications@resurgent.com Oct 21 2017 01:17:37
 PYOD, LLC its successors and assigns as assignee, of Citibank, N.A.,
 Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008

13992218 E-mail/PDF: gecsed@recoverycorp.com Oct 21 2017 01:12:18 Synchrony Bank,
 c/o Recovery Management Systems Corp, 25 SE 2nd Ave Suite 1120, Miami FL 33131-1605

TOTAL: 12

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr BANK OF AMERICA, N.A.

13866698* +Ally Financial, 200 Renaissance Ctr, Detroit, MI 48243-1300

13866700* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank Of America, N.A., 4161 Piedmont Pkwy, Greensboro, NC 27410)

TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 22, 2017

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: lmar
Form ID: 149

Page 2 of 2
Total Noticed: 24

Date Rcvd: Oct 20, 2017

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 20, 2017 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor BANK OF AMERICA, N.A. agornall@goldbecklaw.com,
bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com
Brett A. Solomon on behalf of Creditor Ally Financial bsolomon@tuckerlaw.com,
agilbert@tuckerlaw.com/cabbott@tuckerlaw.com/dparanay@tuckerlaw.com
Charles O. Zebley, Jr. on behalf of Trustee Charles O. Zebley, Jr. COZ@Zeblaw.com,
PA67@ecfcbis.com;Lyndie@Zeblaw.com
E. Vernon Parkinson on behalf of Debtor Renee D. Short vparkinson@wgsf-law.com,
nreyes@wgsf-law.com
Heather A. Sprague on Behalf of the United States Trustee by on behalf of U.S. Trustee
Office of the United States Trustee Heather.Sprague@usdoj.gov,
Lisa.Geyer@usdoj.gov;David.A.Milko@usdoj.gov;David.A.Berry@usdoj.gov;Steven.W.Albright@usdoj.gov;
Andrew.F.Cetnarowski@usdoj.gov
James Warmbrodt on behalf of Creditor BANK OF AMERICA, N.A. bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com
Stuart P. Winneg on behalf of Creditor BANK OF AMERICA, N.A. swinneg@udren.com,
cblack@udren.com

TOTAL: 9